IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.4240 OF 2006

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders	Court's or Judge's Orders

Shri Dilip Bodake for Petitioner.

Shri C.R.Sonawane , A.G.P. for Respondent.

CORAM: B.H.MARLAPALLE &
J.H.BHATIA, JJ.
DATE : 8th November, 2006.

P.C.:

1. The first petitioner who is the father of the second petitioner is aggrieved by the order passed by the Collector, Nashik on 19-11-2005 stating therein that nomination made in favour of the petitioner no.2 by late Smt.Geetabai Dhanaji Sonaje, mother of petitioner no.1 on 16-7-99 in favour of her grand-son and petitioner no.2 can not be accepted for being registered in the register book maintained for the nominees of

the freedom fighters.

2. It appears that on 10-09-2004 , the petitioner no.1 submitted an application to the Collector, Nashik stating that his mother Smt.Geetabai Dhanaji Sonaje submitted an affidavit and nominated petitioner no.2 on 16-7-99 for the benefits available under the Government Resolution dated 4th March, 1991. By the same Government Resolution, some concessions have been provided by the State Government for the employment to the posts in Class III and IV in Government services. It is further notified from the record that the collector, Nashik referred petitioner’s case to the State Government and by the communication dated 6-8-05, Collector was advised that the Government Resolution permitting nomination of grandson by the widow of the freedom fighter couldnot be given retrospective effect and it sought to be given only

prospectively. Admittedly the mother of petitioner no.1 died on 15-1-2002 and her husband Shri Dhanaji Damodar Sonaje who was freedom fighter died on 28-8-1983.

3. Under these circumstances, the view taken by the State Government in holding that the petitioner no.2 is ineligible for being registered as nominee of freedom fighter, i.e., Dhanaji Damodar Sonaje cannot be held to be perverse or grossly erroneous.

4. Hence, the petition fails and the same is hereby rejected summarily.

(J.H.BHATIA, J.) (B.H.MARLAPALLE,J.)